

Remarks

This application claims priority from Provisional Application Serial No. 60/420,484 filed October 21, 2002. In the Office Action dated August 24, 2005, the Examiner issued a Restriction Requirement indicating that Claims 1-9 are drawn to an apparatus (Invention I), namely a multi-plate extrusion die, that Claims 10-17 are drawn to a method (Invention II) for producing a multi-component extrusion, and that Claims 18-25 are drawn to an article (Invention III), namely the multi-component extrusion with snap-in connector prong. During an August 15, 2005 telephone conversation, Applicant made a provisional election with traverse to Claims 18-25 drawn to the article.

In the Office Action dated August 24, 2005, to which this is a response, the drawings were objected to under 37 CFR 1.83(a) as not showing every feature of the claims; in particular the "primary extrudate", "prong mounting face", "non-prong surface", and "the base capstocking layer" were to be shown in the drawings or cancelled from the claims. Claim 22 was rejected under 35 U.S.C. 112, second paragraph as "SAN" is not defined in the specification and the Examiner asserts that it is not well known in the art. Claims 18 and 21-25 were rejected under 35 USC 102(b) as being anticipated by Pauley et al. ('075) (U.S. Pat. No. 5,965,075). Claims 19 and 20 were rejected under 35 USC 103(a) as being unpatentable over Pauley et al. ('075) in light of Godavarti et al. ('037) (U.S. Pat. No. 6,265,037). In this Response, Applicant affirms the provisional election of Invention III, Claims 18-25, for prosecution, Applicant has amended Claims 18-19, 21 and 25 to address the objections to the drawings, Applicant argues that Claim 22 is not indefinite, Applicant addresses the teachings of Pauley et al. ('075) under 35 USC 102(b), and Applicant addresses the teachings of Pauley et al. ('075) in view of Godavarti et al. ('037) under 35 USC 103(a) as is more fully discussed, hereinbelow.

As to the objection to the drawings under 37 CFR 1.83(a) as not showing the features of the claims of "prong mounting face", "non-prong surface", and "the base capstocking layer" these terms have been cancelled from Amended Claims 18-25 to address these objections. As to the objection to the drawings under 37 CFR 1.83(a) as not showing the feature of the claims of "primary extrudate," the Applicant has amended Claims 18-25 to address this objection as now "primary extrudate" modifies the "interior portion of predetermined shape" which is a claim feature of the now amended Claims

and is noted on Fig. 1 at reference numeral 12. Further, Examiner can find full support in the specification for "primary extrudate" on page 8, lines 12-18 and on page 10, lines 12-22 and in Table 1. In light of these amendments to the Claims, Applicant believes that no changes are needed in the drawings.

As to the rejection of Claim 22 under 35 U.S.C. 112, second paragraph, that "SAN" is not defined in the specification and the Examiner has asserted that "SAN" is not well known in the art, Applicant asserts and believes that "SAN resin" is well known and understood in the plastics and extrusion art as a simple contraction referring solely to styrene acrylonitrile copolymer resin. Applicant has attached photocopies of two references that show "SAN," as referenced in the claim, as a common and well understood term in the plastics and extrusion arts. Gottfried W. Ehrenstien's *Polymeric Materials Structure-Properties-Applications* titles the subsection referring to SAN as "SAN -- Styrene-Acrylonitrile Copolymer" on page 258. *Concise Encyclopedia of Polymer Science and Engineering* has subsection titled as "Styrene-Acrylonitrile Copolymers (SAN)" at page 1119. Furthermore, Examiner stated in the Office Action to which this is a response on page 6, lines 6-7 that, "As to claims 21-23, Pauley et al. teaches a primary extrudate comprised of a solid foamed SAN resin and a PVC resin (col. 3, lines 65-67)" showing that the prior art reference that Examiner cites refers to "SAN resin" and that Examiner was not confused by the reference to or usage of "SAN resin." Furthermore, pending Claim 23 refers to "PVC resin", the usage of which Examiner has not objected to, while PVC is another simple contraction used in the plastics and extrusion art to refer to polyvinyl chloride resin. For these reasons, Applicant respectfully requests that this rejection be withdrawn.

As to Claims 18 and 21-25 being rejected under 35 USC 102(b) as anticipated by Pauley et al. ('075) (U.S. Pat. No. 5,965,075), Applicant asserts that Pauley et al. ('075) does not disclose snap-in connector prongs formed of a capstocking extrudate. Particularly, Pauley et al. is titled, "Triple extruded frame profiles and method of producing same" and discloses the extrusion of three different extrudates, while Applicant discloses and claims the extrusion of merely two materials. Pauley et al. discloses a foamed core comprising the volume of the profile and providing the strength and durability of the multi-component extrusion; see col. 2 line 66 through col. 3 line 32. Pauley et al. further discloses a capstocking material forming a thin, protective layer

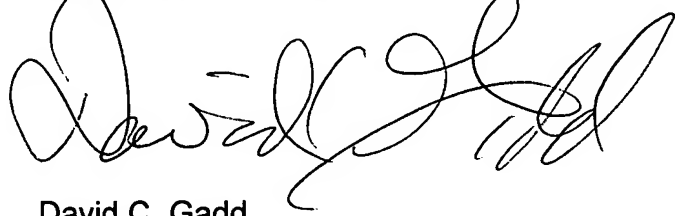
over the foamed core; see col. 4 lines 43-48. Pauley et al. lastly discloses a third material "which is co-extruded in the die with the core material and the capstock" and is "a flexible material which is used to form flanges and/or seals" and it "must be sufficiently soft so that it can flex and form a seal with glass panes"; see col. 4 lines 61-67. Pauley et al. does not refer to a snap-in connector prong in the disclosure and Applicant believes and asserts that the soft, flexible flanges shown in Pauley et al. Fig. 4 at reference numerals 42A, 42B, 42C, 43 and 44 and otherwise discussed in the Pauley et al. specification would not be at all suitable for use as a snap-in connector. Pauley et al. Fig. 4 at reference numeral 41 refers to the capstocking material and there is no disclosure or discussion of using such a material to form a snap-in connector prong or for any use of the capstocking material for any purpose other than to form the well known and long practiced "thin, protective layer over the foamed core." For these reasons, Applicant respectfully requests that this rejection be withdrawn.

As to the rejection of Claims 19 and 20 under 35 USC 103(a) as being unpatentable over Pauley et al. ('075) in light of Godavarti et al. ('037) (U.S. Pat. No. 6,265,037), Applicant believes and asserts that neither the disclosures of Pauley et al. or of Godavarti et al. support this obviousness objection. Firstly, as was discussed above in reference to Claims 18 and 21-25 being rejected under 35 USC 102(b) as anticipated by Pauley et al., Pauley et al. simply does not disclose snap-in connector prongs formed of a capstocking extrudate. Furthermore, Godavarti et al. discloses nowhere anything other than the use of a capstocking material for the purpose of forming the well known and long practiced thin, protective layer over the hollow, composite thermoplastic resin core. For these reasons, Applicant respectfully requests that this rejection be withdrawn.

Applicant has enclosed a Petition for Three Month Extension of Time including Check No. 208168 in payment of the \$1,020.000 fee, therefor. In view of the above, the reexamination and reconsideration of the application as amended is earnestly solicited.

Respectfully submitted,

George Melkonian & Douglas L. Cole

A handwritten signature in black ink, appearing to read 'David C. Gadd', with a large, stylized flourish at the end.

David C. Gadd

Registration No. 48,838

Enclosures:

Check Nos. 208168 in an amount of \$1,020.00

Petition for 3-month Extension of Time with payment

1034 Sixth Ave. North

Kent, Washington 98032

Phone: (253) 854-8020

Fax: (253) 850-9970